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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/755,049 | 01/08/2004 | Juergen Otten | 4604 | 8705 |

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EXAMINER

TALBOT, MICHAEL

ART UNIT PAPER NUMBER

3722

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/755,049

Applicant(s)

OTTEN, JUERGEN

Examiner

Michael W. Talbot

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005 (Amendment).
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2 and 5-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The objection to the specification has been withdrawn due to Applicant's amendment filed on 24 August 2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2,5,7,11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silver '956 in view of Mackey, Sr. et al. '992. Silver '956 shows in Figures 1-3 a clamping mechanism comprising a clamping bail (1) forming a clamping opening, a first clamping section (3) aligned with a second clamping section (2) facing each other across the clamping opening, the first clamping section further comprising a drill bushing guide element (5) with a hollow guide channel (18) for guiding a drill bit (26) and a removable centering pin (17) axially movable within guide element for positioning a correct drilling position (col. 3, lines 27-38), the second clamping section further comprising a pressure member (8) and a clamping drive comprising a clamping screw (4) and a handle (6) rotatably mounted, an adaptor (14) secured to and in axial alignment with guide element for holding a drill in alignment. Silver '956 shows in Figure 3 a cavity (v-notch) in the pressure member where the drill bit tip can enter when a hole drilling is completed. Silver '956 lacks the clamping mechanism further comprising an adapter in axial alignment with the guide member for holding a drill in an aligned drilling position to the first clamping section. Mackey, Sr. et al. '992 shows in Figures 2,5 and 6 a clamping mechanism (50) comprising an adapter (8,10) in axial alignment with the guide member (26,30,32) for locking (via drive

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connector 12) a drill (attached to chuck 4) in an aligned drilling position to the first clamping section (upper jaw 53). In view of this teaching of Mackey, Sr. et al. '992, it is considered to have been obvious to one of ordinary skill in the art to replace the drill assembly of Silver '956 with the drill assembly taught by Mackey, Sr. et al. '992 in Figs. 5 and 6 to provide a fixed drill and clamping mechanism arrangement to limit insertion/withdrawal of the drill bit from the guide element (and clamping mechanism) thus reducing wear of both components and improving reproducibility and accuracy of the operation (col. 1, lines 15-23).

4. Claims 6,8,9,12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silver '956 in view of Mackey, Sr. et al. '992, further in view of GB 2288356. Silver '956 in view of Mackey, Sr. et al. '992 lack the clamping drive being comprised of a cam and drive lever for securely clamping the workpiece. GB 2288356 shows in Figures 1 and 3 a clamping mechanism having a clamping drive comprising a clamping screw (4 and 21 respectively) with a dead end cavity (21 in Figure 3) in axial alignment with guide (6,7) to provide a relief bore (page 6, 6th paragraph) for drill bit and alternative clamping configurations/designs using a screw, spring, cam, lever, hydraulic, electric, pneumatic or any other method to apply a clamping force (page 4, 4th paragraph). In view of this teaching of GB 2288356, it is considered to have been obvious to one of ordinary skill in the art to choose another well-known clamping drive mechanism (cam action and lever) to provide a means for quickly and securely clamping and releasing the workpiece without potential thread slippage.

Silver '956 in view of Mackey, Sr. et al. '992 lack the clamping drive being comprised of a clamping push rod slidably and rotatably mounted and a lever for securely clamping the workpiece. GB 2288356 shows in Figures 1 and 3 a clamping mechanism having a clamping drive comprising a clamping screw (4 and 21 respectively) and alternative clamping configurations/designs using a screw, spring, cam, lever, hydraulic, electric, pneumatic or any

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other method to apply a clamping force (page 4, 4th paragraph). In view of this teaching of GB 2288356, it is considered to have been obvious to one of ordinary skill in the art to choose another well-known clamping drive mechanism (clamping push rod and lever) to provide a means for quickly and securely clamping and releasing the workpiece without potential thread slippage.

Silver '956 in view of Mackey, Sr. et al. '992 lack the clamping drive being comprised of a piston cylinder and a piston for securely clamping the workpiece. GB 2288356 shows in Figures 1 and 3 a clamping mechanism having a clamping drive comprising a clamping screw (4 and 21 respectively) and alternative clamping configurations/designs using a screw, spring, cam, lever, hydraulic, electric, pneumatic or any other method to apply a clamping force (page 4, 4th paragraph). In view of this teaching of GB 2288356, it is considered to have been obvious to one of ordinary skill in the art to choose another well-known clamping drive mechanism (piston cylinder and piston) to provide a means for quickly and securely clamping and releasing the workpiece without potential thread slippage.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silver '956 in view of Mackey, Sr. et al. '992, further in view of Sarh '022. Silver '956 in view of Mackey, Sr. et al. '992 lack the clamping mechanism comprising a suction type device in communication with the guide element for extracting drill chips. Sarh '022 shows in Figure 6 a suction type device (100) in communication with the guide element for extracting drill chips via suction/vacuum pressure (102). In view of this teaching of Sarh '022, it is considered to have been obvious to modify the clamping mechanism of Silver '956 in view of Mackey, Sr. et al. '992 with a vacuum device of Sarh '022 to prevent the drill chips from clogging-up the drilling area and binding the drill bit thus eliminating excess frictional wear and tear of the drill bit from heat build-up thus resulting in an increase drilling efficiency and drill bit life.

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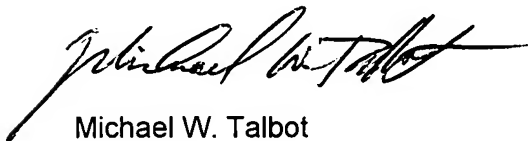
Response to Arguments

6. Applicant's arguments with respect to claims 1,2 and 5-13 have been considered but are moot in view of the new ground(s) of rejection.

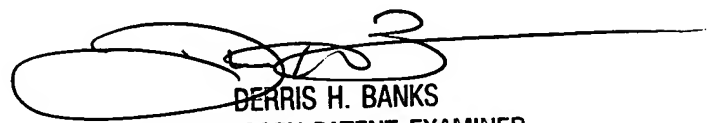
7. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mr. Derris H. Banks, may be reached at 571-272-4419.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 703-872-9306. This practice may be used for filling papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account.

Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.



Michael W. Talbot
Examiner
Art Unit 3722
29 November 2005



DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700